

111TH CONGRESS
1ST SESSION

H. R. 2845

To direct the Secretary of Defense to deploy ground-based interceptors as part of the missile defense system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2009

Mr. FRANKS of Arizona (for himself, Mr. GRIFFITH, Mr. TURNER, Mr. MARSHALL, Mr. SESSIONS, and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Defense to deploy ground-based interceptors as part of the missile defense system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protect the Homeland
5 from North Korean and Iranian Ballistic Missiles Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The United States Constitution indicates
2 one of the first purposes of government is to provide
3 for the defense of the American people.

4 (2) North Korea continues to develop the Taepo
5 Dong 2 long-range missile.

6 (3) The United States intelligence community
7 estimated that the Taepo Dong 2, when fully devel-
8 oped, could threaten the entire continental United
9 States with a ballistic missile.

10 (4) North Korea tested the Taepo Dong 2 mis-
11 sile over the Sea of Japan on July 4, 2006, in defi-
12 ance of warnings from the United States, Japan,
13 South Korea, and the People's Republic of China.

14 (5) North Korea, in violation of United Nations
15 Security Council Resolutions 1695 and 1718,
16 launched a long range ballistic missile on April 5,
17 2009. This test demonstrates that North Korean
18 long range ballistic missiles can now reach South
19 Korea, Japan, and Guam and can travel 2,000 miles
20 over Japan into the Pacific Ocean.

21 (6) North Korea ordered inspectors out of the
22 country and walked away from the 6 party talks on
23 April 14, 2009.

24 (7) North Korea has deployed the Musudan in-
25 termediate range ballistic missile which can threaten

1 Okinawa and Guam, 200 No Dong missiles which
2 can reach Japan, and 600 Scud missiles which
3 threaten South Korea.

4 (8) On April 29, 2009, North Korea threatened
5 to conduct a nuclear test and an intercontinental
6 ballistic missile unless the United Nations Security
7 Council apologized for imposing sanctions against
8 North Korea.

9 (9) North Korea, in violation of United Nations
10 Security Council resolution 1718, conducted a nu-
11 clear test on May 25, 2009.

12 (10) North Korea's missile launch and nuclear
13 test demonstrate present international diplomatic ef-
14 forts are not sufficient to deter North Korea from
15 developing, deploying, and launching missiles or de-
16 veloping nuclear technology.

17 (11) North Korea has test-fired six short-range
18 missiles off the country's east coast since the May
19 25, 2009, nuclear test.

20 (12) Recently North Korea has asserted it is no
21 longer bound by the armistice which ended the Ko-
22 rean War and has threatened war against the
23 United States, South Korea, and Japan.

24 (13) North Korea leads the world in missile
25 proliferation.

1 (14) North Korea is known to share ballistic
2 missile technology with other weapons proliferating
3 nations such as Iran.

4 (15) North Korea aided Syria with its nuclear
5 program.

6 (16) The Director of the Missile Defense Agen-
7 cy said on June 9, 2009, “The United States has
8 fine-tuned its ability to shoot down long-range mis-
9 siles that could be launched by North Korea based
10 on a trio of tests mimicking such an attack.”.

11 (17) On February 3, 2009, the Government of
12 Iran successfully launched its first satellite into
13 orbit—an act in direct violation of United Nations
14 Security Council Resolution 1737.

15 (18) General Maples, Director of the Defense
16 Intelligence Agency, recently said, “Iran’s February
17 3, 2009, launch of the Safir space launch vehicle
18 shows progress in mastering technology needed to
19 produce ICBMs.”.

20 (19) On April 5, 2009, President Barack
21 Obama said, “So let me be clear: Iran’s nuclear and
22 ballistic missile activity poses a real threat, not just
23 to the United States, but to Iran’s neighbors and
24 our allies.”.

1 (20) On May 19, 2009, the Government of Iran
2 test-fired a new two-stage, medium-range, solid fuel,
3 surface-to-surface missile, which can reach Europe,
4 Israel, and United States forces deployed in the Per-
5 sian Gulf Region.

6 **SEC. 3. STATEMENT OF POLICY REGARDING NORTH KO-**
7 **REA'S AND IRAN'S LONG-RANGE BALLISTIC**
8 **MISSILE TECHNOLOGY.**

9 Congress—

10 (1) acknowledges that North Korea's and Iran's
11 long-range ballistic missile technology is improving
12 and could be used to deliver chemical, biological, or
13 nuclear weapons;

14 (2) expresses concern that North Korea's and
15 Iran's long-range ballistic missile technology poses a
16 real threat to the United States homeland;

17 (3) realizes missile delivery technology and war-
18 heads could be passed along to state and non-state
19 actors; and

20 (4) supports ballistic missile protection of
21 United States allies and forward deployed forces but
22 believes it should not come at the expense of the
23 protection of the United States homeland.

1 **SEC. 4. DEPLOYMENT OF MISSILE DEFENSE INTERCEP-**
2 **TORS IN ALASKA AND CALIFORNIA.**

3 The Secretary of Defense shall deploy the following:

4 (1) Not less than 40 ground-based interceptors
5 at Fort Greely, Alaska.

6 (2) Not less than 4 ground-based interceptors
7 at Vandenberg Air Force Base, California.

8 (3) Such number of ground-based interceptors
9 at such other locations as the President determines
10 appropriate.

11 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR THE**
12 **GROUND-BASED MIDCOURSE DEFENSE SYS-**
13 **TEM.**

14 Funds are hereby authorized to be appropriated for
15 fiscal year 2010 for the ground-based midcourse defense
16 system of the Missile Defense Agency in the amount of
17 \$500,000,000.

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